IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Mr. JUSTICE C.V.RAMULU

WRIT PETITION No. 21965 of 2002

Between:

V.Sankara Rao, S/o Late Varahalachari,
Supervisor, APVCC RCD Hospital,

Chinnawaitair, Viskhapatnam.

..... PETITIONER

AND

1 A.P.Vikalangula Co-operative Corporation, Rep by its

Managing Director, A.P.V.C.C.,
Ground Floor, B.R.K.R.Bhavan, Saifabad,
Hyderabad-500 063.
2 Project Officer, T.C.P.C.A.L.M.U. & H.A.C. A.P.V.C.C.,
Bakkannapalem P.M.Palem Post , Visakhapatnam-41.
3 Joint Collecter/ Ex-Officio Executive Director, A.P.V.C.C.

Collectorate, M.R.Peta, Visakhpatnam-2.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of WRIT OF CERTIORARI calling for the records from the 1st Respondent relating to the Impugned Proceedings No.APVCC/Legal/5028/2000/2002-4002 dt 24-10-2002 and quash the same after declaring the same as illegal, arbitrary, non est in the eye of law and without application of mind, and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: Mr.V.SUDHAKAR REDDY

Counsel for the Respondents: Mr.K.RAMANUJA CHARI

The Court made the following :

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THE HONOURABLE SRI JUSTICE C.V. RAMULU

W.P.No.21965 of 2002

ORDER:

In this writ petition, the petitioner is seeking a Writ of Certiorari to quash the Proceedings dated 24-10-2002 of the 1st respondent whereunder the petitioner was ordered to be reverted to the post of Helper (Non-technical) and his pay was directed to be fixed appropriately.

Learned counsel for the petitioner submits that the sole petitioner died and he may be permitted to take out steps to bring his legal representatives on record.

Similar writ petitions were dismissed by this Court by a common Judgment dated 29-10-2004 in W.P.No.21643 of 2000 and batch, on the ground that no writ petition is maintainable before this Court under Article 226 of the Constitution, as the service conditions of the petitioner and similarly placed persons are not governed by any statutory rules. Under those circumstances, no purpose would be served in permitting to bring the legal representatives of the deceased petitioner on record.

Accordingly, the Writ Petition is dismissed. However, liberty is reserved to the legal representatives of the petitioner to approach the appropriate authority and work out their remedies as per law.

November 11, 2004

Prk

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

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